

1 BLANK ROME LLP
2 Ana Tagvoryan (SBN 246536)
3 ATagvoryan@BlankRome.com
4 Safia Gray Hussain (SBN 251123)
5 SHussain@BlankRome.com
6 Yosef A. Mahmood (SBN 295976)
7 YMahmood@BlankRome.com
8 2029 Century Park East, 6th Floor
9 Los Angeles, CA 90067
10 Telephone: 424.239.3400
11 Facsimile: 424.239.3434

12 Attorneys for Defendants,
13 MAIN STREET MARKETING, LLC
14 AND JERROD MCALLISTER

15
16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**
18

19 CLAUDINE OSGOOD, an individual;
20 ANTON EWING, an individual,

21
22 Plaintiffs,

23 vs.

24 MAIN STREET MARKETING, LLC, a
25 Utah limited liability company; JERRÔD
26 ROBKER, an individual, aka JERROD
27 MCALLISTER; DOES 1-100; ABC
28 CORPORATIONS 1-100; XYZ, LLC's 1-
100,

Defendants.

Case No. 3:16-cv-02415-GPC-BGS

Assigned to:
District Judge, Hon. Gonzalo P. Curiel
Magistrate Judge, Hon. Bernard G.
Skomal

**NOTICE OF NON-COMPLIANCE
BY PLAINTIFFS WITH ECF
ADMINISTRATIVE POLICIES
AND PROCEDURES MANUAL**

1 **TO THE COURT AND ALL PARTIES TO THIS ACTION:**

2 **PLEASE TAKE NOTICE** that, on February 7, 2017, Plaintiffs Anton Ewing
3 and Claudine Osgood purported to electronically file, through the Court’s Electronic
4 Case Filing (ECF) system, a Joint Motion to Dismiss Case with Prejudice and Order
5 Thereon Finding that Plaintiffs Are Not Vexatious Litigants as a Matter of Law (ECF
6 No. 42) (the “Joint Motion”). Although the Joint Motion contains an electronic
7 signature for Ana Tagvoryan, as “Attorney for Defendants,” the Joint Motion fails to
8 include a certification that the “content of the document is acceptable to all persons
9 required to sign the document . . . or authorization for the electronic signatures of all
10 parties on the document,” as required by the Court’s Electronic Case Filing
11 Administrative Policies and Procedures Manual Section 2.f.4.

12 Nor could it, as Ms. Tagvoryan informed Mr. Ewing prior to Plaintiffs’ filing of
13 the Joint Motion that she did not consent to Mr. Ewing placing her electronic
14 signature on the Joint Motion or any other document he intended to file in this matter.
15 (Declaration of Ana Tagvoryan (“Tagvoryan Decl.”) ¶¶ 6, 8 & Exs. A, B.) Mr. Ewing
16 nonetheless filed the Joint Motion, including with Ms. Tagvoryan’s unauthorized
17 electronic signature, and told Ms. Tagvoryan to “take that up with the Court.” (*Id.* ¶ 7
18 & Ex. C.)

19 Counsel for Defendants Main Streat Marketing, LLC and Jerrod McAllister
20 (also known as Jerrod Robker) have filed a motion to withdraw as counsel for
21 Defendants because, among other reasons, Defendants have stopped communicating
22 with counsel and seeking counsel’s advice and representation in this litigation,
23 including any settlement and the subjects addressed in the Joint Motion. (ECF Nos.
24 44, 45.)¹ The Court has not yet addressed the motion to withdraw. To the extent that
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¹ The motion to withdraw as counsel for Defendants initially was filed on February 7,
27 2017 (ECF Nos. 39, 40, 41), but because of technical computer corruption issues with
28 the documents filed, was withdrawn (ECF No. 43) and refiled on February 8, 2017.

1 a final settlement has been reached between Plaintiffs and Defendants, Defendants'
2 counsel have not been privy to the settlement negotiations or terms.
3

4 Dated: February 9, 2017

5 BLANK ROME LLP

6 By: /s/ Ana Tagvoryan

7 Ana Tagvoryan

8 Safia Gray Hussain

9 Yosef A. Mahmood

10 Attorneys for Defendants

11 MAIN STREAT MARKETING, LLC

12 AND JERROD MCALLISTER
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